

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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EDWARD J. SCROXTON,

Plaintiff,

- against -

TOWN OF SOUTHOLD, TOWN BOARD
OF SOUTHOLD, SCOTT RUSSELL,
CSEA LOCAL 1000 AAFSCME AFL-CIO
and KATHY GARRISON,

Defendants.

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ORDER

CV 08-4491 (JS) (AKT)

A. KATHLEEN TOMLINSON, Magistrate Judge:

The Court has received the Motion [DE 31] by Defendants Town of Southold, Town Board of Southold, and Scott Russell (collectively, the “Southold Defendants”) requesting (i) adjournment of the Initial Conference scheduled for September 2, 2009, and (ii) stay of discovery pending the Court’s determination of the Southold Defendant’s motion to dismiss [DE 23]. The Court has also received the Motion [DE 32] by Defendants CSEA, Local 1000, AFSCME, AFL-CIO and Kathy Garrison (together, the “CSEA Defendants”) requesting a stay of discovery pending the Court’s determination of their motion to dismiss [DE 4]. Plaintiff opposes [DE 34] the Southold Defendants’ request for adjournment of the Initial Conference, and requests that the Court stay discovery “until after that initial conference meeting or until such time this Court deems fit and proper.”

In light of the fact that counsel for the Southold Defendants will be away, the Southold Defendants’ Motion [DE 31] is GRANTED, in part, to the extent it requests adjournment of the Initial Conference. The Initial Conference is rescheduled for October 2, 2009 at 10:00 a.m.

before the Honorable A. Kathleen Tomlinson in Courtroom 910. The remainder of the Southold Defendants' Motion [DE 31] and the CSEA Defendants' Motion [DE 32], both seeking a stay of discovery pending the Court's decisions on the motions to dismiss, are DENIED, without prejudice, and with the right to renew, at the rescheduled Initial Conference.

SO ORDERED.

Dated: Central Islip, New York
August 18, 2009

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge